



US-CH02,02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Date: October 9, 2002

Ma, et al)

Group Art Unit: 1647

Serial No.: 09/801,115)

Examiner: Bridget E. Bunner

Filed: March 7, 2001

For: **CHEMOKINE LIKE FACTORS (CKLFS) WITH CHEMOTATIC
AND HEMATOPOIETIC STIMULATING ACTIVITIES****RECEIVED**

DEC 05 2002

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231**DECLARATION OF BIOLOGICAL CULTURE DEPOSIT**I, Ma Dalong
Name of Inventor

hereby declare:

1. That the following culture(s) referred to in the specification of this application have been deposited:

UCK1-001CGMCC 0392

Strain

Accession number

2. That the date of the above deposit is:

(check appropriate item below)

☒ before the U.S. filing date of this application.☐ after the U.S. filing date of this application and proof that the culture(s) identified above is(are) the same culture(s) described in the application as filed is attached

3. That the name and address of the depository is:

China Committee For Culture Collection of Microorganisms
Name of depository

General Microbiological Culture Center
Address of Depository

Zhongguancun, Beijing, China 100080

4. That a statement that the culture(s) deposited with the above named depository was (were) viable and was (were) capable of reproduction, if appropriate, on the date of deposit is attached. Such statement is executed by:

(complete a, b or c below)

- a. ☒ the depository.
b. ☐ the applicant.
c. ☐ a competent third party.

5. That, with respect to the permanence of the culture(s) deposit:

(complete a, b, or c)

- a. ☐ the depository is an official depository, in accordance with the Budapest Treaty for the above deposited culture(s).
b. ☒ the depository affords permanence of the deposit for at least 30 years or at least 5 years after the most recent storage request, whichever is longest.
c. ☒ evidence that permanent availability of the microorganism is assured is provided in the form of the attached copy of the contract with the above-mentioned depository with respect to the deposited culture(s).

I affirm that should the microorganism(s) mutate, become nonviable or be inadvertently destroyed, applicants will replace such microorganism(s) for at least 30 years from the date of the original deposit, or at least 5 years from the date of the most recent request for release of a sample or for the life of any patent issued on the above-mentioned application, whichever period is longer.

6. That, with respect to availability of the culture(s), I affirm that the deposit has been made under conditions of assurance of:

(a) ready accessibility thereto by the public if a patent is granted whereby all restrictions to the availability to the public of the culture so deposited will be irrevocably removed upon the granting of the patent (MPEP 608-01 (p)), and

(b) access to the culture will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 USC 122.



Evidence of the accessibility of the culture(s) as set forth above is provided in the form of the attached copy of the contract with the above-mentioned depository with respect to the deposited cultures.

7. That I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Type or print name of person signing

10/10/02

Date

Ma Dalong

Signature of Inventor

Address of Person Signing
